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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 1 9 2007

In re Application of:)
Gary K. Michelson   )   Confirmation No.: 6717
Serial No.: 10/809,242   )
Filed: March 25, 2004   )
For: INSTRUMENTATION FOR USE WITH   )   Group Art Unit: 3733
    DYNAMIC SINGLE-LOCK ANTERIOR   )
    CERVICAL PLATE SYSTEM HAVING   )   Examiner: Pedro Philogene
    NON-DETACHABLY FASTENED   )
    AND MOVEABLE SEGMENTS   )

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination (RCE) and is therefore being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed non-U.S. Patent documents were previously submitted in prior Application No. 10/160,086, filed June 4, 2002, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to

IDS 07-19-07

present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: July 19, 2007   By: _____

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OMB 0651-0031

Substitute for FORM PTO-1449	Attorney Docket Number 101.0112-01000	Customer No. 22882
INFORMATION DISCLOSURE CITATION IN AN APPLICATION	**Applicant** Gary K. Michelson	**Application Number** 10/809,242
(Use several sheets if necessary) Sheet 1 of 1	**Filing Date** March 25, 2004	**Group Art Unit** 3733 / **Examiner** Pedro Philogene

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	3,900,025	8/1975	Barnes, Jr.			
	4,289,123	9/1981	Dunn			
	5,330,477	7/1994	Crook			
	5,728,127	3/1998	Asher et al.			
	5,954,725	9/1999	Sherman et al.			
	5,964,760	10/1999	Richelsoph			
	6,258,089	7/2001	Campbell et al.			
	6,855,147	2/2005	Harrington, Jr.			

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	Advertisement for Codman Anterior Cervical Plate System by Codman; Johnson & Johnson; Professional, Inc.; 9/1995.
	SPINAL CONCEPTS Brochure: The Acufix, Anterior Cervical Plate System; prior to June 4, 2002.
	BLACKSTONE Brochure: Blackstone Anterior Cervical Plate; prior to June 4, 2002.
	ALPHATEC MANUFACTURING Brochure: Deltaloc, Anterior Cervical Plate System; prior to June 4, 2002.
	SOFAMOR DANEK Brochure: Atlantis, Anterior Cervical Plate System; 1998.
	ORTHO DEVELOPMENT Brochure: Ortho Development Cervical Plate; prior to June 4, 2002.
	OSTEOTECH Brochure: Affirm, Anterior Cervical Plate System; prior to June 4, 2002.
	Bone Growth Stimulation, http://www.healthatoz.com/healthatoz/Atoz/ency/bone_growth_stimulation.jsp.; prior to June 4, 2002.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO 1449
PTO/SB/ 08 (10-92)   Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PAGE 8/8 * RCVD AT 7/19/2007 5:00:46 PM [Eastern Daylight Time]* SVR:USPTO-EFXRF-1/0 * DNIS:2738300 * CSID:3102862795 * DURATION (mm-ss):03-38